

REMARKS/ARGUMENTS

Status of the Claims

Claims 1, 4-43 and 45-50 are currently pending in the application. No claims have been amended, added, or cancelled. Therefore, claims 1, 4-43 and 45-50 are present for examination.

Rejection under 35 U.S.C. § 103, Java SE in view of Chen et al. and further in view of Friedman et al.

Claims 1, 4-18, 20-43 and 45-50 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over “Java™ 2 Platform, Standard Edition v1.2.2 API Specification (“Java SE”) in view of “Specification-based Testing for GUI-based Applications” by Chen et al. (“Chen”), and further in view of U.S. Patent No. 7,171,588 issued to Friedman et al. (“Friedman”).

The Office Action, mailed on July 28, 2008 (“Office Action”) states that “[t]he Java SE-Chen combination does not explicitly teach operation independent of an operating system.” Instead, the Office Action relies on Friedman to teach the operation of “recording, in real time and *independent of any of the plurality of operating systems*, the identified accessibility context, wherein the recording of the identified accessibility context is *an operating system independent process*”, as recited by claim 1, and similarly claims 36, 38, 39, 45, and 46. (emphasis provided).

Applicants submit that Friedman discloses that the “JAVA programming language provides platform independence.” (Friedman at col. 2, ll. 12-13). The Office Action further states that “[i]t would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the functionality of the Java SE-Chen combination in the JAVA language.” (Emphasis provided.) Applicants respectfully disagree with this assertion. As is known in the art, the JAVA programming language is written in ANSI C; nevertheless, Applicants respectfully submit that it would be impossible to implement Java SE in the JAVA language. In other words, the API (*i.e.*, methods, systems, classes, etc.) of a language (*i.e.*, Java SE) cannot be implemented using the same language. For example, just as the C programming

language cannot be written using C, the JAVA programming language cannot be written using JAVA. Thus, for at least this reason, Applicants submit that Java SE in view of Chen, and further in view of Freidman, fails to make claims 1, 36, 38, 39, 45, and 46 obvious.

Dependent claims 4-35, 37, 40-43 and 47-50 depend from independent claims 1, 36, 39, and 46 and therefore are believed to be allowable over Java SE in view of Chen, and further in view of Friedman at least by virtue of their dependence from allowable base claims.

Rejection under 35 U.S.C. § 103, Java SE in view of Chen and further in view of Chakraborty

Claim 19 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Java SE in view of Chen, and further in view of U.S. Patent Application Publication No. 2002/0188613 issued to Chakraborty et al. ("**Chakraborty**").

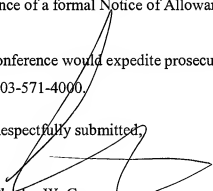
Claim 19 depends from claim 1. Thus, at least by virtue of its dependence on an allowable base claim, Applicants submit that claim 19 is also allowable. Accordingly, Applicants respectfully request that this rejection be withdrawn.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,


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